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Paper No. 7

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MAY 17 2002

OFFICE OF PETITIONS

In re Application of
Savory, Guo, Hawryluck & Larose
Application No. 09/975,830
Filed: October 12, 2001
Attorney Docket No. 537-1053.1
For: GENERATION OF VARIABLE
DIFFERENTIAL GROUP DELAY

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:
: DECISION ACCORDING STATUS
: UNDER 37 CFR 1.47(a)
:
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This is in response to the petition under 37 CFR 1.47(a), filed February 28, 2002 (certificate of mailing date February 14, 2002).

The petition is granted.

Petitioners have shown that the non-signing inventor, Qing Guo has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the exhibits to the petition establish that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration. For future reference, a person with first hand knowledge should set forth the events that show refusal or unavailability by means of a declaration or statement of facts. Fortunately, in this instance the exhibits to the petition are sufficiently compelling to justify granting Rule 47 status to the above-identified application.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis

E. Shirene Willis
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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LETTER

OFFICE OF PETITIONS

Dear Mr. Guo:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 308-6712.

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